

PROCEEDINGS OF THE BROWN COUNTY HARBOR COMMISSION

A meeting was held on Monday, **MAY 11, 2009**, 11:30AM
at Holiday Inn – City Centre, Green Bay, WI.

The meeting was officially called to order by President McKloskey at 11:40AM.

1) Roll Call:

Present: President Neil McKloskey
Vice-President Tom Van Drasek
Commissioner John Gower
Commissioner Craig Dickman
Commissioner Bernie Erickson
Commissioner Ron Antonneau
Commissioner Hank Wallace

Excused: Commissioner Bill Martens
Commissioner John Hanitz

Also Present: Charles Larscheid, Brown County Port & Solid Waste
Dean Haen, Brown County Port & Solid Waste

2) Approval/Modification – Meeting Agenda

A motion to approve the meeting agenda was made by Ron Antonneau and seconded by Craig Dickman. Unanimously approved.

3) Approval/Modification – April 13, 2009 Meeting Minutes

A motion to approve the April 13, 2009 meeting minutes was made by Ron Antonneau and seconded by Bernie Erickson. Unanimously approved.

4) U.S. Army Corps of Engineers Dredge Material Management Plan Letter–Request for Approval

Manager Haen reviewed a letter to be sent to the U.S. Army Corps of Engineers (USACE) at their request. The letter will be signed by both Manager Haen and President McKloskey. In the letter, Brown County acknowledges they are aware of the local sponsorship requirement of 35% to build Cat Island and expand Bay Port which would make the County responsible for \$12M of a \$34M project. Haen felt this was also an opportunity to discuss vertical expansion that identifies Cat Island as a disposal location for future outer harbor dredging and Bay Port as the future disposal site for the inner harbor dredging. The determination made by the USACE is based solely on economics and does not take into consideration any of the environmental benefits, etc. Manager Haen feels the USACE base plan is under-estimated. Haen believes obtaining the \$12M is dependant on

leveraging our limited resources and competitively applying for grants through the Wisconsin Harbor Assistance Program (HAP). If HAP does not have funding or Brown County is not successful, Haen is uncertain as to where or how the \$12M local cost share would be obtained. Discussion ensued on the wording in the letter and obtaining the County's portion of the cost share. **A motion was made by Craig Dickman and seconded by John Gower to approve and provide the President's signature with copies to our federal legislators.** Unanimously approved.

5) Economic Impact Mailing - Informational

Manager Haen provided follow-up on the Harbor Commission's suggestion at the April meeting to send out a regional mailing on the economic impact of the Port. A brief letter along with a summary sheet from the current Economic Study done by Bay-Lake Regional Planning Commission, a copy of the press release, and a Port brochure were sent to county board chairs, planning directors, county executives, regional planning commissions, and economic development agencies throughout Northeastern Wisconsin. Haen indicated he has received a couple requests for additional information as well as one business lead.

Haen stated this was quite an extensive list to put together and a lot of time went into finding all the contacts. A copy of the mailing list with over 200 contacts was included in the agenda. Commissioner Gower asked how the list was built and how much time was put into compiling the list. Haen indicated he went to the Counties Association and WEDA as well as other avenues. Haen stated it took quite a while but now that the list is compiled, it can be used again in the future.

McKloskey suggested information on the foreign trade zone be included in any future mailings.

6) Bay Port Drainage Evaluation – Request for Approval

Manager Haen commented on the proposal from Robert E. Lee (REL), the engineering consulting firm contracted to build Bay Port. The Bay Port facility has been in operation for 10 years and the original plan was to have the sedimentation ponds dredged every 10 years. An evaluation would be done of the facility by REL who has all necessary background information on file. The proposal would involve preparing a design plan for improving anything found to be out of compliance. The Brown County Highway would do the repairs if necessary. The cost for the evaluation would be \$11,800 and would be reimbursed to Brown County by the USACE. Haen stated Purchasing was contacted and they gave approval to proceed with REL as the contractor. The cost of doing the annual surveying of Cell 7 is included in the estimate. Normally the survey is done in fall at a cost of \$2500, however, since REL will be on site the surveying will be done at that time for a cost of \$1400. Haen explained why this work is necessary and discussion ensued. **A motion was made by Hank Wallace and seconded by Ron Antonneau to approve the letter for improvements of \$11,800, with the stipulation that this issue be brought back during the design phase and construction phase.** Unanimously approved.

7) Cell 7 Demonstration Project - Update

Manager Haen gave an update on Cell 7. The Brown County Highway Department filled Cell 7 to grade. Manager Haen met with River Valley Testing, the firm that originally installed the piezometers under Cell 7 to measure any slope failures and/or differential settlement. River Valley Testing requested 6 months of data from the time the cell was filled until the time a request would be submitted to the WDNR for removal of the demonstration project. In 2000 a purchase order, with an agreed upon price, was approved. This September a request for WDNR approval to implement the Cell 7 demonstration project over the entire facility will be brought to the Commission. This would increase the capacity of the site by 3 times the current capacity.

8) Economic Stimulus Funding - Update

Manager Haen reported that unfortunately Brown County's requests from the U.S. government's economic stimulus package for 1) additional dredging, 2) Cat Island and, 3) Renard Island were unsuccessful. The Great Lakes received only 2% of the nation's USACE budget. Locally money was received at the Ports of Manitowoc and Sturgeon Bay. Haen indicated that he will continue pursuing any available funding opportunities. Discussion ensued on the NOAA grant and the Cat Island Chain.

9) Bylsby Avenue Development - Update

Manager Haen updated the Commission on the Bylsby property where the tank basins were previously located. Brown County sent a letter last month to the USACE requesting approval to fill in the tank basins which are man-made. However, since vegetation is now growing on this site, it is seen by the USACE and the WDNR as a wetland. Manager Haen met with the USACE who requested more information which is outlined in this letter. Haen reviewed the letter with the Commission. President McKloskey, on behalf of the Commission, commended Manager Haen on his work. Based on Haen's understanding of the mitigation process, he would like to pursue making the 1600 acres of the CAT Island chain its own mitigation bank. Currently there is only one mitigation bank in Wisconsin with the price per acre at \$30,000. Haen spoke with U.S. Fish & Wildlife and the USACE and both agencies are open to the idea.

10) Closed Session

19.85(1)(e): Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business. . . . pertaining to Fox River Clean-up litigation.

A motion to go into closed session was made by Tom Van Drasek and seconded by Bernie Erickson. Unanimously approved.

Present: President Neil McKloskey
 Vice-President Tom Van Drasek
 Commissioner John Gower
 Commissioner Craig Dickman
 Commissioner Bernie Erickson
 Commissioner Ron Antonneau

Excused: Commissioner Hank Wallace
Commissioner Bill Martens
Commissioner John Hanitz

A motion to return to regular session was made by Bernie Erickson and seconded by Tom Van Drasek. Unanimously approved.

Present: President Neil McKloskey
Vice-President Tom Van Drasek
Commissioner John Gower
Commissioner Craig Dickman
Commissioner Bernie Erickson
Commissioner Ron Antonneau
Commissioner Hank Wallace
Excused: Commissioner Bill Martens
Commissioner John Hanitz

11) Audit of Bills – Request for Approval

A motion to approve the bills was made by Hank Wallace and seconded by Tom Van Drasek. Unanimously approved.

12) Tonnage Report

Manager Haen distributed a copy of the tonnage report for April. To date the Port has received 11 ships compared to 35 to 40 ships last year. Haen noted tonnage is down 65% with 35% of the Great Lakes fleet not moving on the lakes. Other ports are experiencing the same thing.

13) Director's Report
Strategic Plan

The Strategic Plan was approved originally in 2000 and updated in 2005. Within the plan are 5 goals: 1) dredge material management, 2) expanding cargo, 3) infrastructure, 4) property acquisition and, 5) self-sufficiency. Haen feedback from the Commission as to whether the current Strategic Plan should be reviewed and/or revised. Discussion ensued. Haen stated he would begin to work on the Strategic Plan based on the Commission's suggestions.

Green Bay Cellcom Marathon

Manager Haen reminded the Commission that the Green Bay Cellcom Marathon is taking place on Sunday, May 17th.

14) Such Other Matters as are Authorized by Law

15) Adjourn

A motion to adjourn was made by John Gower and seconded Hank Wallace. Unanimously approved. Meeting adjourned at 12:56pm.

Neil McKloskey, President
Harbor Commission

Charles Larscheid, Director
Port & Solid Waste Department